

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

Andres L. Glenn,

Plaintiff,

vs.

Deberh Porkwine; James Mahamad; and Deron
Chives,

Defendants.

Civil Action No. 1:17-cv-2553-CMC

ORDER

Andres L. Glenn ("Plaintiff"), proceeding *pro se*, filed this action while being detained at Correct Care. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2), D.S.C., this matter was referred to United States Magistrate Judge Shiva V. Hodges for pre-trial proceedings.

On October 11, 2017, the court ordered Plaintiff to pay the filing fee or complete the enclosed Application to Proceed without Prepayment of Fees and Affidavit (Form AO 240) and to provide the service documents necessary to advance his case. ECF No. 5. Plaintiff was warned that the failure to provide the necessary information within a specific time period may subject the case to dismissal. *Id.* On October 24, 2017, the court received a purported response, forwarded from the Richland Count Clerk of Court, which appears only to include the blank documents originally sent to Plaintiff. ECF No. 7. The court issued a second order on October 25, 2017, instructing Plaintiff not to send materials to another court, and ordering Plaintiff to pay the filing fee or complete the enclosed Form AO 240 and to provide the service documents necessary to advance his case. ECF No. 10. Plaintiff was again warned that the failure to provide the necessary

information within a specific time period may subject the case to dismissal. *Id.* The time for response expired on November 15, 2017, and Plaintiff did not file a response.

On November 21, 2017, the Magistrate Judge filed a Report and Recommendation, recommending the Complaint be dismissed without prejudice for failure to prosecute. ECF No. 13. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Plaintiff was to file objections by December 8, 2017, and has failed to do so. After considering the record, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court agrees with the Report's recommendation the matter be dismissed for failure to prosecute. Accordingly, the court adopts the Report by reference in this Order. As Plaintiff has failed to prosecute this case and has failed to comply with an order of this court, the case is **dismissed without prejudice** pursuant to Rule 41 of the Federal Rules of Civil Procedure. *See Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962).

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
December 13, 2017